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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,110	03/12/2004	Kaori Kojima	15162/05720	7610
24367	7590	06/27/2005	EXAMINER	
SIDLEY AUSTIN BROWN & WOOD LLP 717 NORTH HARWOOD SUITE 3400 DALLAS, TX 75201			SUGARMAN, SCOTT J	
			ART UNIT	PAPER NUMBER
			2873	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/799,110	Applicant(s) KOJIMA ET AL	
	Examiner Scott J. Sugarman	Art Unit 2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23, 24/1, 24/7, 24/13 and 24/18 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17, 24/1, 24/7 and 24/13 is/are allowed.
- 6) ☒ Claim(s) 18, 21, 23 and 24/18 is/are rejected.
- 7) ☒ Claim(s) 19, 20 and 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3-12-04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 18, 21, 23 and 24/18 are rejected under 35 U.S.C. 102(b) as being anticipated by Ikemori et al. Ikemori et al (Fig. 46; Example 23; col. 28, lines 43-68) teaches a zoom lens system for forming an optical image of a subject on a light receiving surface having, from an object side, a first lens unit (I), a second lens unit (II), and a third lens unit (III), the zoom lens system achieves zooming by varying distances between the lens units (see Fig. 46), the first lens unit having a negative optical power, the second lens unit having a positive optical power, where the zoom lens system satisfies the condition Bf/Lw (in Example 23 it is equal to 0.085 which is between 0.01 and 0.20). Regarding the condition in claim 21, $P3/Pw$, Example 23 of Ikemori et al teaches a value of 0.6971 which is between the claimed values of 0.15 and 0.85. Regarding claim 23, as shown in Fig. 46, there is an aperture stop in the second lens

unit. Regarding the limitation of claim 24, where the zoom lens includes an image sensor, the lens of Ikemori et al is used in a video camera (col. 1, lines 11-13).

Allowable Subject Matter

Claims 1-17, 24/1, 24/7 and 24/13 are allowed.

Claims 19, 20 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


The following is a statement of reasons for the indication of allowable subject matter: Regarding independent claim 1, the prior art does not teach or suggest a three unit zoom lens system with a + - configuration that satisfies the recited numerical condition, Bf/Y' . Regarding independent claim 7, the prior art does not teach or suggest a three unit zoom lens system with a + - configuration that satisfies the recited numerical condition, Bf/fw . Regarding independent claim 13, the prior art does not teach or suggest a three unit zoom lens system with a + - configuration that satisfies the recited numerical condition, $P23/Pw$. Dependent claims 2-6, 8-12, 14-17, 24/1, 24/7 and 24/13 are considered allowable, since they depend upon allowable independent claims. Claims 19, 20 and 22 are considered allowable, since the prior art does not teach or suggest the recited numerical conditions.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott J. Sugarman whose telephone number is (571)272-2340.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Scott J. Sugarman
Primary Examiner
Art Unit 2873